

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHAWN C. SHARP,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION NO.: 00-2156
)	
SUPERINTENDENT PHILIP L.)	Magistrate Judge Amy Reynolds Hay
JOHNSON, ET AL.)	
Defendants.)	
)	

PLAINTIFF'S MOTION FOR A TEMPORARY RESTRAINING ORDER

AND Now comes the Plaintiff, Shawn C. Sharp, by and through his attorney, Raymond N. Sanchas, Esquire and hereby files this Motion for a Temporary Restraining Order:

1. Plaintiff is an inmate at SCI-Dallas presently engaged in litigation regarding, inter alia, his requests for religious accommodations related to his religious faith as a practicing member of the Ahlus Sunnah Muslim community.

2. Plaintiff was granted a hair exemption by the Department of Corrections which has been honored at SCI-Pittsburgh and SCI-Greene.

3. Plaintiff has been advised by Department of Corrections officials at SCI-Dallas that they will not honor his hair exemption. Said officials are also stating that they do not believe that Plaintiff is a sincere Muslim and they are claiming he has changed his religious beliefs. They have ordered Plaintiff to cut his hair and although Plaintiff has filed a grievance, the officials continue to order Plaintiff to cut his hair on a daily process and also tell Plaintiff daily that they intend to see that he does not keep his hair exemption.

4. Plaintiff believes that the sudden rejection of his long standing hair exemption is directly related to this action in that Department of Corrections officials are suddenly challenging Plaintiff's sincerity in his religious beliefs which is an element under his RLUIPA claim.

Additionally, Plaintiff believes that officials of the Department of Corrections are harassing him and seeking to intimidate him for pursuing his litigation, notwithstanding that Plaintiff has made reasonable efforts to settle the litigation and the Department of Corrections is the party forcing the matter to trial.

5. Plaintiff does not at this time have direct evidence that named individual Defendants in this action are influencing the officials at SCI-Dallas in regard to the harassment and intimidation but suspects that such is the case.

6. There is no prejudice or harm to the Defendants and the Department of Corrections should Plaintiff's requested relief be granted.

WHEREFORE, Plaintiff, Shawn C. Sharp, respectfully requests that this Honorable Court issue an Order restraining the Defendants and the Department of Corrections from directing Plaintiff to cut his hair.

Respectfully submitted:

December 20, 2006
Date

/s/Raymond N. Sanchas
Raymond N. Sanchas, Esquire
Counsel for Plaintiff
PA ID#33295

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Pittsburgh, PA 15219
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Plaintiff's Motion to Amend Pretrial Statement was served on the 20th day of December, 2006, on counsel of record for Defendants electronically:

Scott A. Bradley, Deputy Attorney General
Commonwealth of Pennsylvania
Office of Attorney General – Litigation Section
Fifth Floor, Manor Complex
Pittsburgh, PA 15219

Date: December 20, 2006

/s/Raymond N. Sanchas
Raymond N. Sanchas, Esquire
Attorney for Plaintiff